

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - T&A Department – Sri P. Kondala Rao, Sub-Treasury Officer,(Retd.)  
Itchapuram, Srikakulam District - Re invoking of punishment orders – orders - Issued.

FINANCE (ADMN.III) DEPARTMENT

G.O.Rt.No. 5114

Dated: 18.12.2010.

Read the following:-

1. G.O.Ms.No.161, Fin.(Admn.III) Deptt., dt.24.06.2008
2. Judgment dated:17.11.09, in W.P.No.8000 of 2009 and batch  
Of Hon'ble High Court of Andhra Pradesh
3. Lr.No.K(1)2/19373/2010, dated:03.12.2010 & 09.12.2010 of DTA., Hyd.
4. Judgment dated:20.10.2010 in O.A.No.4521 of 2008 of Hon'ble APAT.,  
Hyderabad.

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O R D E R :-

In the reference 1<sup>st</sup> read above, orders were issued for awarding of punishment of withholding of all pensionary benefits and gratuity in full and permanently under rule 9 of A.P.R.P.Rs. 1980, based on conviction of Sri P. Kondala Rao, Sub-Treasury Officer,(Retd.) Itchapuram, Srikakulam District dated: 09.02.2008 by Special Judge for SPE & ACB Cases Visakhapatnam in C.C.No. 14/2002.

2. Aggrieved by the punishment orders in the reference 1<sup>st</sup> read above, the individual filed O.A.No.7034/2008. The Hon'ble A.P.A.T., has allowed the O.A. and in its orders dated: 23.04.2009 directed the respondents to pay provisional pension pending disposal of C.A.No.243/2008. Aggrieved to this, the respondents have filed W.P.No.26551/09, challenging the Tribunal orders. The Hon'ble High Court in its interim orders dt.5.12.2009, has granted interim stay on the operation of A.P.A.T., dt.23.04.2009 in O.A.No.7034/08.

3. The Hon'ble High Court in its judgment dated:17.11.2009, in the reference 2<sup>nd</sup> read above has ordered that the Government/disciplinary authority is having such power to pass orders of dismissal or removal based on the conduct of the Government servant which led to his conviction in a criminal case and directed the Government to review all such cases where the Government Servants suffered conviction and even if appeal or revision against the conviction are pending. The Hon'ble High Court also directed the Government to take appropriate corrective action after review of all such cases and file a compliance report and set aside all the orders of Hon'ble APAT., issued following the orders in W.P.No.16102/2007.

4. In view of the directions of Hon'ble High Court of Andhra Pradesh in the reference 2<sup>nd</sup> read above the orders issued in the reference 1<sup>st</sup> read above holds good until the outcome of final orders of Hon'ble High Court of Andhra Pradesh in C.A.No.243/2008.

5. "Copy of this order is available on Internet and can be accessed at address <http://www.goir.ap.gov.in>."

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH )

L.V. SUBRAHMANYAM,  
PRL. SECRETARY TO GOVERNMENT(FP)

To

Sri P. Kondala Rao, Sub-Treasury Officer,(Retd.)

Itchapuram, Srikakulam District.(through the DTA., Hyderabad.)

Copy to : The DTA., A.P., Hyderabad.

The Director General, ACB., Hyderabad.

The A.P. Vigilance Commission, Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER